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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,

Plaintiff,

vs.

Wesley Warren Temple,

Defendant.

No.: 2:22-cr-01107-PHX-JJT (JZB)

**MOTION TO CONTINUE TRIAL and  
MOTION TO EXTEND PRETRIAL  
MOTIONS DEADLINE and VACATE  
STATUS CONFERENCE**

(Defendant In Custody)

**(Second Request)**

Defendant, through undersigned counsel, respectfully requests that this Court continue the time for filing of pretrial motions for a period of ninety (90) days from the current date of January 9, 2023. In addition, defendant requests that the Court continue the trial date for a period of ninety (90) days from the current date of February 7, 2023. Lastly, the defendant requests that the Court vacate the Status Conference scheduled for January 23, 2023.

The parties are still in plea negotiations and the government anticipates extending an offer shortly after completion of due diligence. In addition, Defense will need this continuance in order to review continuing disclosure from the government.

1 Defense counsel has contacted Assistant United States Attorney Glenn B.  
2 McCormick concerning this motion and he has no objection to these requests.

3 Excludable delay under 18 U.S.C. § 3161(h)(7)(B)(i) and (iv) may result from this  
4 motion or from an order based thereon.

5  
6 RESPECTFULLY SUBMITTED on January 20, 2023.

7  
8 /s/ Stephen Garcia  
9 Attorney for Defendant

10  
11  
12 Copy of the foregoing transmitted  
13 by ECF for filing January 20, 2023, to:

14 CLERK'S OFFICE  
15 United States District Court  
16 Sandra Day O'Connor Courthouse  
17 401 W. Washington  
18 Phoenix, Arizona 85003

19 The Honorable John T. Tuchi,  
20 Glenn B. McCormick, Assistant U.S. Attorney

21 Courtesy copy e-mailed to:

22 The Honorable John T. Tuchi  
23 Tuchi\_chambers@azd.uscourts.gov

24 Glenn B. McCormick  
25 Assistant U.S. Attorney  
26 Glenn.McCormick@usdoj.gov

27 By: /s/ Stephen Garcia  
28  
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